

**IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF NEW MEXICO**

**FILED**  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

00 OCT -2 AM 8:30

*Walter J. [unclear]*  
CLERK-SANTA FE

**STATE OF NEW MEXICO, *ex rel.*  
State Engineer**

**Plaintiff,**

**v.**

**RAMON ARAGON, *et al.*,**

**Defendants.**

**69cv07941 JC-ACE**

**RIO CHAMA STREAM SYSTEM  
Rio Gallina, Section 5**

**NEW MEXICO'S MOTION TO JOIN  
ADDITIONAL PARTIES DEFENDANT**


COMES NOW plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the Court to join as additional parties defendant the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction of adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.

2. The persons or entities listed in Exhibit A are in the Rio Gallina Section of the Rio Chama Basin, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within the Rio Gallina Section.

DATED: September 29, 2000

Respectfully submitted,

  
EDWARD G. NEWVILLE  
Special Assistant Attorney General  
Office of the State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 827-6150

**CERTIFICATE OF SERVICE**

I certify that copies of New Mexico's Motion to Join Additional Parties Defendant were mailed to all persons on the Rio Gallina Service List on October 2, 2000.

  
Edward G. Newville

**EXHIBIT A**

<u>DEFENDANT</u>	<u>SUBFILE NO.</u>	<u>ADDRESS</u>
Arellano, Jacobo	CHGA-02-0040	P.O. Box 7, Gallina NM 87017
Chavez, Aurelia	CHGA-02-0044	P.O. Box 115, Gallina NM 87017
Chavez, Sam	CHGA-02-0044	P.O. Box 115, Gallina NM 87017
Cordova, Shirely	CHGA-02-0045	P.O. Box 21, Gallina NM 87017
Madrid, Alice	CHGA-02-0043	P.O. Box 147, Gallina NM 87017
Madrid, Orlando	CHGA-02-0043	P.O. Box 147, Gallina NM 87017
Jacquez, Marino	CHGA-02-0042	P.O. Box 614, Cuba NM 87013
Jacquez, Ramona Estate	CHGA-02-0031	P.O. Box 48, Gallina NM 87017
Lucero, Isabel	CHGA-02-0034	401 La Vega Rd. SW, Albuquerque NM 87103
Maestas, Marshall C.	CHGA-01-0016	P.O. Box 13, Coyote NM 87012